

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SFA SYSTEMS, LLC

v.

NETSUITE, INC. et al.

6:08-CV-142-LED

JURY

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The defendant, NETSUITE INC. and plaintiff SFA Systems, LLC, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the terms of the settlement agreement dated October 8, 2008, with each party to bear its own costs, expenses and attorneys fees.

October 23, 2008

Respectfully submitted:

SFA SYSTEMS, LLC

NETSUITE INC.

/s/ John J. Edmonds

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ATTORNEYS FOR PLAINTIFF SFA
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CERTIFICATE OF SERVICE

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

October 23, 2008

/s/ John J. Edmonds
John J. Edmonds